

**East Nottingham Township  
Planning Commission Minutes  
July 26, 2004**

The regular monthly meeting of the East Nottingham Township Planning Commission was held in the Township Building on July 26, 2004. Those present were: Planning Commission Members, Chairperson Marianne Russo, Vice-Chairman Joseph R. Bauer, Alvin Miller, Michael Rebert, Clifford Lee, Thomas Olivieri, Assistant Zoning/Subdivision Officer, Andrea Hingley; Supervisor David Shelton, Zoning Officer J. Russell Yerkes and numerous guests.

The meeting was called to order at 7:08 p.m. by Chairperson Marianne Russo.

The Pledge of Allegiance was led by the Vice-Chairman.

On motion by the Vice-Chairman, seconded by Thom Olivieri, Active Adult Communities was removed from the agenda.

The Chairperson asked for public comments on the agenda items and received none.

Introductions of Andrea Hingley, Assistant Zoning Officer and Subdivision officer from Yerkes Associates, Inc. and Russell Yerkes, Zoning Officer also from Yerkes Associates, Inc. Andrea Hingley offered to complete the minutes for today's meeting, as township secretary will need to be appointed by the Board of Supervisors.

On motion by the Vice-Chairman, seconded by Michael Rebert, the minutes from the June 28, 2004 Regular Meeting were approved.

**Ordinance Review**

**Zoning & Subdivision/Land Development Ordinance Amendments –**

There was considerable discussion about the process by which the Planning Commission should deliberate about and recommend the ordinance amendments to the Board of Supervisors. Alvin Miller raised concerns that the PC had not had its required 30 days to review the proposed changes. It was pointed out to him that not only had the PC been participants in the monthly workshops for the duration of the deliberations, but also that the PC had received the proposed changes at its last meeting along with David Sweet's memo of June 14, 2004. In addition, the PC had received the comments from the Chester County Planning Commission at its June meeting.

Alvin Miller moved —assuming that as of this day the PC has all necessary documents in hand—that we advertise a special Planning Commission meeting within the next 30 days at which to discuss the amendments and make our

recommendation to the Board of Supervisors. The motion died for lack of a second.

Tom Olivieri made a motion that the PC recommend approval of the language of the proposed zoning changes, with reservations and considerations for changes in the map. Seconded by Joe Bauer. The motion carried. Alvin Miller voted no.

### **Impact Fees**

Update asked from Ron Ragan and Mike Rebert. Interviews from traffic engineers will be put on agenda for next BOS meeting.

**Fire Ordinance** – Percy Reynolds, no update at this time. Postponed until September meeting.

**Noise Ordinance** – Possible noise ordinance given to Twp. a few months back, though it was rife with issues as far as Chester County was concerned. A copy of the New London Twp. noise ordinance was distributed. To be reviewed during the next meeting.

### **Subdivision/Land Development Plans:**

**James Mark – E/S Barnsley-Chrome Road, S/O Twin House Road; 2.357 acres; sketch plan for new storage building**

Motion by Vice-Chairman, seconded by Perry Reynolds, to take no action.

**Glenn Freese – 2578 Forge Road – 2 Lot Subdivision; Final Plan**

All issues are resolved. Large portion to remain agricultural in use, not binding for future use, at such time as someone proposes to develop the remaining agricultural land, the full subdivision process is required. Small portion not to be re-subdivided in the future needs to be stated on plan. Motion to approve by the Vice-Chairman as per the last meeting and seconded by Mr. Thom Olivieri-with conditional note on the plan that Lot 1 can not be further subdivided. The Motion carries.

**Jordan Manor (Tigue Farm) – 165 Lot Subdivision – Little Elk Creek Road and Fifth Street Road; 250 acres; Edward B. Walsh & Associates, Inc. New Sketch Cluster Plan**

Motion by Mike Rebert, seconded by Clifford Lee to take no action. Waiting for revised plan to be submitted.

**Woods at Nottingham – Wilson Mill Road – 16.1902 acres; 8 Lot Subdivision; Steve Frost (developer); New Preliminary Plan**

Letter was received from Chester County PC discussed. No information from Chester County Health Department. Comment from Alvin Miler in regards to perc testing in 1972, and why it did not perc then but it did now. Motion by the Vice-Chairman, seconded by Mike Rebert, to take no action. Discussion to keep a close eye on it as it will expire soon. Motion carries.

**Elkdale Development – Preliminary Plan – Little Elk Creek Road & Oxford Rd. – 83 houses, 2 existing dwellings; 69.3 acres Jahan Sheikholeslami**

Motion by Percy Reynolds, seconded by Vice-Chairman, to take no action.

**Meadowview Estates Preliminary Plan– 134 Lot Subdivision w/47 lots in ENT – Wedgewood Rd/bypass off of Locust (across from Gray Farm); 111 acres total w/28.5 acres in ENT; Frost Development Company**

Motion by Percy Reynolds, seconded by Clifford Lee, to take no action. Discussion to ask for an extension letter sent to developer.

**Liz Miller Farm – Preliminary Plan– 124 Lot Subdivision - SW quadrant of intersection of Fulton & Hickory Hill Road; 80.42 acres; Keystone Custom Homes**

Motion by Clifford Lee, seconded by Mike Rebert, to take no action.

**Shepherd Farm Preliminary Plan- 45 lots, 43 units plus existing farm; Twin House Rd. & Oaks Rd; 80.778 acres; Ryan Homes**

Motion by Vice-Chairman, seconded by Mike Rebert, to take no action. Discussion to ask for an extension letter sent to developer.

**Ruth Coldiron Preliminary Plan – 7 Lot Subdivision – East side of Wickersham Rd. South side of Market St. (in ENT and Borough) 6.1 acres**

Motion by Mike Rebert, seconded by Vice –Chairman, to take no action. Discussion to ask for an extension letter sent to developer.

**Correspondence** – Copy of Chester County Planning Commission News Letter in members folders.

**Planning Commission Members**

Percy Reynolds – Is open space is dedeed to township? This is an issue that needs to be closely watched.

Alvin Miller – Drip irrigation question directed generally to Yerkes Associates, Inc.: If system fails, is it a separate system? Who is liable? Letter to Sewer Authority - to be invited to next meeting if possible. W. Pikeland just approved an ordinance to require a bond for satellite sewer systems. Motion by Thom Olivieri to post a bond to use a satellite system so township is not held responsible, seconded by Vice-Chairman. Discussion by Percy Reynolds about who puts money up, and that there is no doubling up of monies, whomever it is dedicated to puts up the money. Motion carries. Vice-Chairman issues of I-1 area of Mt. Pleasant, Waterway and RR tracks would better serve community as I-2.

**Recognition of visitors:**

Question of bond issue from guest Clyde Cameron. It was clarified that it is not an issue for individual lots, only for subdivisions. Question from another guest as to process for public hearing, clarification from board that it is trying to find the correct balance for township and its residence by these changes. Clyde Cameron had question about subdivisions and approval from PC board, the PC board approved his subdivision back in May, the issue of letter from DEP and having another seepage location was addressed. He was told that the county supercedes the township, and once everything is approved by the county then it goes to BOS for approval.

Being no further business, on motion by the Chairperson, seconded by the Vice-Chairman, the meeting was adjourned at 8:30 p.m.

Respectfully Submitted,



Andrea Hingley

Temporary Planning Commission Secretary

APPROVED:

Date July 26, 2004



Marianne Russo, Chairperson